

REMARKS

In the outstanding Office Action mailed November 1, 2007, Claims 1-23 are pending. Claims 1-23 stand rejected under 35 U.S.C. 101. Claims 1-23 further stand rejected under 35 U.S.C. 102(e) as being anticipated by Parsons et al. U.S. Publication No. 2003/0101119A1 ("Parsons"). Claims 1, 16-20 and 23 have been amended to more particularly define the claimed invention. Claims 1-23 remain in the application. New claims 24-25 have been added. The new claims are fully supported and justified by the originally filed specification, for example at page 23, lines 5-11.

Claim Rejections – 35 U.S.C. § 101

Claims 1-23 stand rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter. In response, applicant has amended independent claims 1, 18-20 and 23 to recite that the claims are directed to systems and methods for "for verifying a fund's performance" (claims 1 and 18-20) or to a "method for verifying data values" (claim 23). Applicants respectfully submit that the claims do "produce a useful, concrete, and tangible result" (Office Action, page 2). For example, verifying a fund's performance can assist an investor in mitigating risks that arise when incorrect data is entered into a database containing historical values for the same measurement (applicant's specification, page 1, lines 9-13 and page 3, lines 12-14). Applicants respectfully request that the claim rejections under 35 U.S.C.101 be removed.

Claim Rejections – 35 U.S.C. § 102(e)

As pointed out in the Applicants' response to office action filed August 13, 2007, applicants note that the cited reference, Parsons, is the applicants' own publication of their own Patent Application No. 09/994,975. Clearly, under 35 U.S.C. 102(a), Parsons may not be used as a basis to reject the claims contained therein, and the present rejection is improper. Accordingly, applicants respectfully reiterate their request that the claim rejections under 35 U.S.C. 102(e) be withdrawn.

CONCLUSION

In view of the above amendment, applicants respectfully submit that this application is in condition for allowance. Accordingly, prompt reconsideration and allowance of this application are respectfully requested.

Applicants believe no fee is due with this response. However, if for any reason a fee is due, please charge our Deposit Account No. 18-1945, under Order No. SSBI-P01-003 from which the undersigned is authorized to draw.

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Respectfully submitted,

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